

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Ismail Dickerson,

PLAINTIFF

v.

The State of South Carolina; County of  
Charleston; and City of Charelston, for  
actions of City of Charelston Police  
Department

DEFENDANTS

Case No. 2:17-cv-03278-TLW

**Order**

Plaintiff Ismail Dickerson, proceeding *pro se*, filed this civil action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. ECF No. 1. The matter now comes before the Court for review of the Report and Recommendation (Report) filed by the magistrate judge to whom this case was assigned. ECF No. 17.

After a previous Report and Recommendation recommending dismissal, the Court granted Plaintiff 20 days to file an amended complaint. *See* ECF No. 15 Plaintiff failed to file an amended complaint. The magistrate judge then issued the instant Report. In the Report, the magistrate judge recommends that Plaintiff's case be dismissed under Rule 41(b) for failure to prosecute. Additionally, the Report recommends that the action be dismissed because the Eleventh Amendment bars the action against the State of South Carolina and the claims against Charleston County and the City of Charleston are subject to dismissal because the Plaintiff fails to identify any government policy or custom of Charleston County or the City of Charleston that cause his constitutional rights to be allegedly violated. Plaintiff did not file objections to the Report. This matter is now ripe for decision.

The Court is charged with conducting a *de novo* review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, the Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, “a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

The Court has carefully reviewed the Report. For the reasons stated by the magistrate judge, the Report, ECF No. 17, is **ACCEPTED**. This action is hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

s/ Terry L. Wooten  
Terry L. Wooten  
Senior United States District Judge

May 14, 2020  
Columbia, South Carolina